

CORRES. CONTROL
OUTGOING LTR NO.

DOE ORDER #

93 RF 11917

EG&G ROCKY FLATS

EG&G ROCKY FLATS, INC.

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October 13, 1993

93-RF-11917

J. K. Hartman
Assistant Manager
Transition and Environmental Restoration
DOE, RFO

Attn: R. J. Schassburger

SUPPORTING DOCUMENTATION FOR OPERABLE UNIT (OU) 2 CORRECTIVE MEASURES
STUDY/FEASIBILITY STUDY (CMS/FS) SCHEDULE EXTENSION REQUEST - NMH-498-93

At the request of the Department of Energy, Rocky Flats Office (DOE, RFO), EG&G Rocky Flats, Inc. (EG&G Rocky Flats) is providing additional information supporting the schedule extension request for the Draft Phase II Corrective Measures Study/Feasibility Study (CMS/FS) Report for Operable Unit (OU) 2.

This extension request specifically addresses OU 2; OUs 3 and 6 are also subject to the same milestone extensions based on the language in the Interagency Agreement (IAG). The IAG states in section I.B.9, paragraph 8:

"Alternative Analysis Documentation. For each OU, DOE shall submit a draft Corrective Measures Study/Feasibility Study (CMS/FS) Report in accordance with the schedule requirements stipulated within Table 6 of this Attachment, or **within 90 days** of EPA and/or State approval of the Final RFI/RI for each OU, in the event the submittal date is not specified in Table 6 of this Attachment."

Operable Units 3 and 6 will not meet the above IAG-scheduled duration due to the complexity of the CMS/FS work.

Part 42, Extensions, paragraphs 221 through 227 of the IAG, specifies the information needed for an extension request. The following supporting information is outlined in accordance with Part 42 and included in the Attachment to this letter.

DIST.	LTR	ENC
AMARAL, M.E.		
BENEDETTI, R.L.	X	
BENJAMIN, A.		
BERMAN, H.S.		
BRANCH, D.B.		
CARNIVAL, G.J.		
COPP, R.D.		
DAVIS, J.G.		
FERRERA, D.W.		
HANNI, B.J.		
HARMAN, L. K.		
HEALY, T.J.		
HEDAHL, T.		
HILBIG, J.G.		
KIRBY, W.A.		
KUESTER, A.W.		
MANN, H.P.	X	
MARX, G.E.		
MCDONALD, M.M.		
McKENNA, F.G.		
MONTROSE, J.K.		
MORGAN, R.V.		
POTTER, G.L.		
PIZZUTO, V.M.		
RILEY, J.H.		
RISING, T.L.		
SANDLIN, N.B.		
SETLOCK, G.H.		
STEWART, D.L.		
SULLIVAN, M.T.		
SWANSON, E.R.		
WILKINSON, R.B.	X	
WILLIAMS, S. (ORC)		
WILSON, J. M.		
WYANT, R.B.		
Dille EA	X	
McIntosh AL	X	
Bushy WS	X	
Fisher D (3)	X	
Brooks HC	X	
Denike R	X	
Hollowell L	X	
OWS File	X	
Record Ctr (2)	X	
CORRES CONTROL	x	x
ADMIN RECORD		
PATS/T130G		
TRAFFIC		

CLASSIFICATION:

UCNI	
UNCLASSIFIED	
CONFIDENTIAL	
SECRET	

AUTHORIZED CLASSIFIER
SIGNATURE

DOCUMENT CLASSIFICATION
REVIEW WAIVER PER
CLASSIFICATION OFFICE

DATE

IN REPLY TO RFP CC NO:

N/A

ACTION ITEM STATUS

☐ PARTIAL/OPEN

☒ CLOSED

LTR APPROVALS:

WSB WDEAD: SAE
ORIG & TYPIST INITIALS

EAD/ant

ADMIN RECORDS

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If you have questions regarding this matter, please contact W. S. Busby at extension 8509 or A. L. Primrose at extension 8618, both of Remediation Project Management.



N. M. Hutchins
Acting Associate General Manager
Environmental Restoration Management
EG&G Rocky Flats, Inc.

EAD:dmf

Orig. and 1 cc - J. K. Hartman

Attachment:
As Stated

cc:
S. R. Grace - DOE, RFO
A. H. Pauole - "

SUPPORTING INFORMATION

- A. Extend the milestone date of the Draft Phase II CMS/FS Report for OU 2 from November 4, 1993 to a future date dependent upon the Environmental Protection Agency (EPA) and the Colorado Department Health (CDH) rescinding the Stop Work Order for Contaminants of Concern (COCs) methodology determination.
- B. The exact revised milestone date is not defined at this time. EG&G Rocky Flats recommends that DOE, RFO request an extension based on the total duration of the CMS/FS work. Based on the Five-Year Plan (FY95-FY99) schedule, the duration of the CMS/FS is 719 days. The CMS/FS task is scheduled to commence upon submittal of the Draft Baseline Risk Assessment in the RFI/RI Report. This duration includes performing all parts of the CMS/FS including preparing a Draft and Final Report and three treatability studies. The CMS/FS duration may be significantly reduced if a determination is made that treatability studies are not necessary for OU 2.
- C. Good Causes:

1. Part 41 Amendment of IAG Agreement

DOE presented to EPA and CDH the latest Five Year Plan (FY95-FY99). The schedules presented in the Five Year Plan extend all the IAG milestones for OU 2. Based on Part 41, the level of funding presented in the Five Year Plan and the extended schedules constitutes an amendment of the IAG. This amendment to the IAG also modifies the IAG time duration between submittal of the Final RFI/RI Report and submittal of the Draft CMS/FS Report. Section I.B.9, paragraph 8 of the IAG requires that this duration is three months. The Five Year Plan schedules amend this requirement and presents a new direction in completing IAG schedule requirements.

2. Force Majeure - Not directly applicable, other than as stated in the Draft Phase II RFI/RI Report extension request dated February 26, 1993. The February 26, 1993 extension request, listed Force Majeure good causes as mobilization delays due to increased security resulting from the Persian Gulf War, increased time to get subcontractor personnel security clearances, etc. (Ref: R. M. Nelson, Jr. letter to Martin Hestmark and Gary Baughman; 93-DOE-02632).

3. A delay caused by another Party's failure to meet any requirement of the IAG.

The milestone for submittal of the Draft Phase II RFI/RI Report for OU 2 of March 12, 1993 was not met. A milestone extension request was formally submitted by DOE, RFO to EPA and CDH on February 26, 1993 (see reference above). The extension request was based on FY92 funding shortfall, FY93 scope increase for surficial soil sampling and ER programmatic delays (Delayed field start, Categorical

Exclusion, Decontamination Pad, Laboratory turnaround, ER procedure development, etc.). The extension request was denied by EPA and CDH in a letter received by DOE, RFO on March 16, 1993.

Because the milestone for the Draft Phase II RFI/RI Report was not met, all downstream milestones are impacted. In particular, the most immediate IAG milestone, the milestone for the submittal of the Draft CMS/FS Report, will not be met. The downstream impacts are due to the programmatic logical sequencing of ER work as detailed in the IAG. For example, the Baseline Risk Assessment (BRA) portion of the Draft Phase II RFI/RI Report should be complete for work to be performed on the CMS/FS Report.

4. Any other event or series of events mutually agreed to by the Parties as constituting good cause.

DOE, RFO received Stop Work Order regarding Operable Unit Risk Assessment from EPA and CDH dated July 21, 1993. EG&G Rocky Flats subsequently received a Stop Work Order from DOE, RFO dated August 18, 1993 concerning work on the Operable Unit Risk Assessment. The Stop Work Order covered work for the determination of the Contaminants of Concern (COCs) for the Baseline Risk Assessment portion of the Phase II RFI/RI Report. The period of the Stop Work Order is unspecified but is dependent upon a decision by EPA and CDH on the methodology to be used for COC determination. For OUs 1, 2, and 7, the Stop Work Order is retroactive to June 21, 1993. However, OU 2 is currently operating out of compliance of the IAG until such time that the Draft Phase II RFI/RI Report is submitted to EPA and CDH. Due to the schedule slippage resulting from the Stop Work Order, all downstream milestones will be impacted in a similar fashion, such as submittal of the Draft CMS/FS Report.

- D. Any related timetable and deadline or schedule that would be affected if the extension were granted.

As stated above, all downstream milestones will be impacted if this extension is granted. The most immediate milestone that would be affected is the November 4, 1993 submittal date for the Draft Phase II CMS/FS Report.